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Drugs—Misabeled or Misbranded—Hearing before State Board of Health. (Chap. 358, Act June 13, 1913.)

SECTION 1. Section 6 of an act entitled "An act for the prevention of the manufacture, sale, or transportation of adulterated, mislabeled, or misbranded drugs, regulating the traffic in drugs, and providing penalties for violation thereof," approved March 11, 1907, is hereby amended to read as follows:

"SEC. 6. Drugs shall be deemed mislabeled or misbranded under the meaning of this act in either of the following cases:

"First. If it be an imitation of or offered for sale under the name of another article.

"Second. If the contents of the package as originally put up shall have been removed, in whole or in part, and other contents shall have been placed in such package, or if the package as offered for sale at retail or wholesale fail to bear a statement on the label of the per cent of volume of alcohol, or the quantity of any morphine, opium, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, acetanilide, or any derivative or preparation of any such substances contained therein, except when prescribed by a licensed physician, licensed dentist, or licensed veterinary surgeon.

"Third. If its package or label shall bear or contain any statement, design, or device regarding the curative or therapeutic effect of such article, or any of the ingredients or substances contained therein, which is false and fraudulent."

SEC. 2. Section 15 of said act is hereby amended to read as follows:

"SEC. 15. When the examination or analysis of the director of the State laboratory shows that any of the provisions of this act have been violated, notice of that fact, together with a copy of the certificate of the findings, shall be furnished to the party or parties from whom the sample was obtained or who executed the guaranty as provided in this act, and a date shall be fixed by the secretary of the board of health at which time said party or parties may be heard before the State board of health or any two members thereof and the secretary. The hearing shall be held at such times and places as may be designated by the State board of health, and at least 15 days' notice thereof shall be first served upon the party complained of. These hearings shall be private and confined to questions of fact. The parties interested therein may appear in person or by attorneys and may propound the interrogatories and submit oral or written evidence to show any fault or error in the findings made by the director of the State laboratory. If the examination or analysis be found correct, or if the party or parties fail to appear at such hearing, after notice duly served as provided herein, the secretary of the State board of health shall forthwith transmit a certificate of the facts so found to the district attorney of the county in which said adulterated, mislabeled, or misbranded drug was found. No publication thereof shall be made until after said hearing is concluded."

Cold-storage Warehouses—License Required—Inspection—Care of Foodstuffs in. (Chap. 360, Act June 13, 1913.)

SECTION 1. The term "cold storage" as used in this act shall be construed to mean a place artificially cooled to a temperature of 40° F. or below, but shall not include such a place in a private home. The term "cold stored" as used in this act shall be construed to mean the keeping of "articles of food," excepting eggs and butter, in "cold storage" for a period exceeding 30 days: *Provided, however, That when the term "cold stored" is used in connection with eggs and butter it shall mean the keeping of these "articles of food" in "cold storage" for any length of time whatever.* The term "articles of food" as used in this act shall be construed to mean and include fresh meat and fresh-meat products (except in process of manufacture), fresh fruit and vegetables, fish, shellfish, game, poultry, eggs, butter, and cheese. The term